

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

UNITED STATES OF AMERICA § CRIMINAL CASE NO.
 §
v. § 1:16-cr-00237-RWS-JSA
 §
JAMES G. MALONEY, §
 §
Defendant. §

**DEFENDANT'S CONSENT MOTION FOR EXTENSION OF TIME IN
WHICH TO SERVE THE GOVERNMENT WITH DEMANDS FOR
PRODUCTION OF TESTIMONY, INFORMATION OR DOCUMENTS
BY GOVERNMENT EMPLOYEES**

Defendant James G. Maloney respectfully files this Consent Motion for Extension of Time in which to Serve the Government with Demands for Production of Testimony, Information or Documents by Government Employees, and hereby respectfully moves the Court for an extension of time in which the Defendant may serve the Government with demands for production of testimony, information or documents from Government employees, pursuant to any applicable statutes or regulations, from Monday, January 23, 2023, until and including Monday, January 30, 2023.

On December 14, 2022, the Court held a hearing pursuant to section 6(c) of the Classified Information Procedures Act (CIPA), Title 18, U.S.C. App III. *See* Dkt. # 155. As a result of the hearing, counsel for Defendant was to provide the Government with a list of witnesses by December 21, 2022. Counsel for Defendant subsequently filed a motion to extend the time to provide the Government with a list of witnesses until and including January 3, 2023, which motion was granted by the Court. *See* Dkt. #s 156, 157.

On December 30, 2022, Defendant provided his list of witnesses to the Government. *See* Dkt. # 158. The Government has not yet responded to Defendant's list. Counsel for Defendant has conferred with counsel for the Government, and counsel for the Government has represented that the Government consents to the proposed seven-day extension of time for Defendant to serve the Government with demands for production of testimony, information or documents by Government employees until and including Monday, January 30, 2023.

Wherefore, Defendant James G. Maloney respectfully requests that the Court grant Defendant's Consent Motion for Extension of Time in which to Serve the Government with Demands for Production of Testimony, Information or Documents by Government Employees, and extend the time in which the

Defendant may serve the Government with demands for production of testimony, information or documents from Government employees, pursuant to any applicable statutes or regulations, from Monday, January 23, 2023, until and including Monday, January 30, 2023. A proposed Order is attached to this Motion as Exhibit A.

Respectfully submitted, this 23d day of January, 2023.

GILLEN WITHERS & LAKE, LLC

/s/Craig A. Gillen
Craig A. Gillen, Esq.
Georgia Bar No. 294838
Anthony C. Lake, Esq.
Georgia Bar No. 431149
400 Galleria Parkway
Suite 1920
Atlanta, Georgia 30339
Telephone: (404) 842-9700
Facsimile: (404) 842-9750
E-mail: cgillen@gwllawfirm.com
aclake@gwllawfirm.com

Counsel for Dr. James G. Maloney

CERTIFICATION

The undersigned certifies, pursuant to N.D.Ga.L.Civ.R. 7.1D, that the foregoing document has been prepared with one of the font and point selections (Book Antigua, 13 point) approved by the Court in N.D.Ga.L.Civ.R. 5.1B.

GILLEN WITHERS & LAKE, LLC

/s/Craig A. Gillen

Craig A. Gillen, Esq.

Georgia Bar No. 294838

Counsel for Dr. James G. Maloney

CERTIFICATE OF SERVICE

The undersigned hereby certifies that, on this 23d day of January, 2023, the undersigned served the foregoing document by filing the document via the Court's Case Management/Electronic Case Filing (CM/ECF) system, which will automatically serve notice of such filing on the following attorneys of record:

John Russell Phillips, Esq.
Assistant United States Attorney
Stephen H. McClain, Esq.
Assistant United States Attorney
United States Attorney's Office for the Northern District of Georgia
600 Richard Russell Building
75 Ted Turner Drive, S.W.
Atlanta, Georgia 30303
stephen.mcclain@usdoj.gov
russell.phillips@usdoj.gov

Emma Dinan Ellenrieder
United States Department of Justice
950 Pennsylvania Avenue, N.W.
Washington, D.C. 20530
emma.ellenrieder@usdoj.gov

GILLEN WITHERS & LAKE, LLC

/s/Craig A. Gillen

Craig A. Gillen, Esq.

Georgia Bar No. 294838

Anthony C. Lake, Esq.

Georgia Bar No. 431149

400 Galleria Parkway

Suite 1920

Atlanta, Georgia 30339

Telephone: (404) 842-9700

Facsimile: (404) 842-9750

E-mail: cgillen@gwllawfirm.com
aclake@gwllawfirm.com

Counsel for Dr. James G. Maloney